

By Mr. COLLINS: A bill (H. R. 11812) to authorize the Secretary of the Interior to sell to the legal heirs of W. H. McCarty and Sallie McGee McCarty the south half of the south half of section 9, township 15 north, range 1 east, Choctaw Meridian, Holmes County, Miss.; to the Committee on Public Lands.

By Mr. CURRY: A bill (H. R. 11813) granting a pension to Emma Carr; to the Committee on Invalid Pensions.

By Mr. DEMPSEY: A bill (H. R. 11814) for the relief of R. J. Graft, former ensign, Supply Corps, United States Naval Reserve Force; to the Committee on Naval Affairs.

By Mr. EATON: A bill (H. R. 11815) granting an increase of pension to Mary E. Runyon; to the Committee on Invalid Pensions.

By Mr. ESTERLY: A bill (H. R. 11816) granting an increase of pension to Annie Downs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11817) granting an increase of pension to Elizabeth A. Harbach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11818) granting an increase of pension to Ida V. Hain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11819) granting an increase of pension to Isabella Hain; to the Committee on Invalid Pensions.

By Mr. HALL of Indiana: A bill (H. R. 11820) granting an annuity to Clyde L. West; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 11821) granting a pension to Nancy J. Rider; to the Committee on Invalid Pensions.

By Mr. JACOBSTEIN: A bill (H. R. 11822) granting an increase of pension to Frances Decker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11823) granting a pension to Helen M. Holt; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 11824) granting a pension to Charles Guthridge; to the Committee on Invalid Pensions.

By Mr. KIRK: A bill (H. R. 11825) granting an increase of pension to Dury M. Craft; to the Committee on Pensions.

By Mr. MENGES: A bill (H. R. 11826) granting an increase of pension to Mary J. Markley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11827) granting an increase of pension to Carrie Good; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11828) granting an increase of pension to Annie Malehorn; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 11829) for the relief of Frank E. Ridgely, deceased; to the Committee on Military Affairs.

By Mr. SCHAFER: A bill (H. R. 11830) granting an increase of pension to Annie Felzen; to the Committee on Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 11831) granting an increase of pension to Margaret J. Gray; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 11832) granting an increase of pension to Cecile A. Campbell; to the Committee on Pensions.

Also, a bill (H. R. 11833) granting an increase of pension to Martha A. Shute; to the Committee on Invalid Pensions.

By Mr. WILSON of Mississippi: A bill (H. R. 11834) for the relief of Marion F. Blackwell; to the Committee on Claims.

By Mr. ZIHLMAN: A bill (H. R. 11835) granting an increase of pension to Lizzie Crane; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: Joint resolution (H. J. Res. 242) releasing all claims of the United States in respect to Government-owned equipment loaned to the John Ohlinger Post, No. 547, of the American Legion, at Portsmouth, Iowa, and destroyed by fire; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2012. By Mr. BOYLAN: Resolutions of the German Society of Pennsylvania, contributing for the relief of distressed Germans in the State of Pennsylvania; also in favor of liberalization of immigration law; to the Committee on Immigration and Naturalization.

2013. Also, petition of St. Ignatius Holy Name Society, Hicksville, Long Island, in favor of resolution introduced by Mr. BOYLAN relative to Mexico; to the Committee on Foreign Affairs.

2014. Also, petition of University of Illinois, Urbana, Ill., in opposition to passage of bill which will make it impossible for the University of Illinois or any other college or university to require military training of its students; to the Committee on Military Affairs.

2015. By Mr. GALLIVAN: Petition of Pere Marquette Council, Knights of Columbus, South Boston, Mass., Arthur J. O'Keefe, grand knight, protesting against the unwarranted and inhuman interference in religious worship on the part of the Government of Mexico; to the Committee on Foreign Affairs.

2016. By Mr. HOOPER: Petition of Mrs. Glenn Peterson and 20 other residents of Eaton County, Mich., protesting against the passage of compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

2017. By Mr. O'CONNELL of New York: Petition of the Columbia Wax Products Co., of Woodhaven, Long Island, N. Y., favoring the passage of House bill 8119; to the Committee on the Judiciary.

2018. By Mr. ROMJUE: Petition of J. T. Magee, L. E. Duss, C. O. West, and others in favor of agricultural relief and the Dickinson bill; to the Committee on Agriculture.

2019. By Mr. STRONG of Pennsylvania: Petition of Assembly 12, of the Catholic Slovak Sokol, Punxsutawney, Pa., in reference to the alien seamen bill; to the Committee on Immigration and Naturalization.

2020. By Mr. THATCHER: Resolutions adopted by the National Society of the Daughters of the American Revolution on April 23, 1926, indorsing and approving House bill 9644, providing for the erection at or near the Falls of the Ohio River, at Louisville, Ky., of a George Rogers Clark memorial lighthouse; to the Committee on the Library.

#### SENATE

SATURDAY, May 1, 1926

(Legislative day of Thursday, April 29, 1926)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. HARRISON obtained the floor.

Mr. CURTIS. Mr. President, will the Senator from Mississippi yield?

Mr. HARRISON. I yield.

Mr. CURTIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Frazier	McKellar	Shortridge
Bayard	Gillett	McKinley	Simmons
Bingham	Glass	McLean	Smith
Blease	Goff	McMaster	Snoot
Borah	Gooding	McNary	Stanfield
Bratton	Greene	Mayfield	Stephens
Broussard	Hale	Melcalf	Swanson
Bruce	Harrell	Norbeck	Trammell
Butler	Harris	Norris	Tyson
Cameron	Harrison	Nye	Underwood
Couzens	Heflin	Oddie	Walsh
Cummins	Howell	Overman	Warren
Curtis	Jones, N. Mex.	Phipps	Watson
Dale	Jones, Wash.	Pine	Wheeler
Deneen	Kendrick	Reed, Pa.	Williams
Dill	Keyes	Robinson, Ark.	Willis
Fernald	King	Sackett	
Ferris	La Follette	Sheppard	
Fess	Lenroot	Shipstead	

Mr. CURTIS. I desire to announce the absence of my colleague [Mr. CAPPER] on account of illness in his family. I will let this announcement stand for the day.

Mr. JONES of Washington. I was requested to announce that the Senator from New Jersey [Mr. EDGE] is absent on account of illness.

The VICE PRESIDENT. Seventy-three Senators having answered to their names, a quorum is present.

#### ENROLLED BILLS SIGNED

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H. R. 2761. An act for the relief of Nora B. Sherrier Johnson;

H. R. 2797. An act for the relief of Mary M. Pride;

H. R. 3797. An act to increase the limit of cost of public building at Decatur, Ala.;

H. R. 3971. An act to correct and perfect title to certain lands and portions of lots in Centerville, Iowa, in the United States of America, and authorizing the conveyance of title in certain other lands and portions of lots adjacent to the United States post-office site in Centerville, Iowa, to the record owners thereof, by the Secretary of the Treasury;

H. R. 7904. An act granting the consent of Congress to Des Arc Bridge Co. and its successors and assigns to construct a bridge across the White River at Des Arc, Ark.;

H. R. 7818. An act to amend section 304 of an act entitled "An act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes," approved August 15, 1921;

H. R. 8817. An act reserving certain described lands in Coos County, Oreg., as public parks and camp sites;

H. R. 9348. An act granting the consent of Congress to the Weirton Bridge & Development Co. for the construction of a bridge across the Ohio River near Steubenville, Ohio;

H. R. 9494. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Gainesboro-Red Boiling Spring road in Jackson County, Tenn.;

H. R. 9503. An act granting permission to the State Highway Commission of the State of Tennessee to construct a bridge across the Tennessee River at Savannah, Hardin County, Tenn., on the Savannah-Selmer road;

H. R. 9505. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Waverly-Camden road between Humphreys and Benton Counties, Tenn.;

H. R. 9506. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Linden-Lexington road in Perry and Decatur Counties, Tenn.;

H. R. 10002. An act granting the consent of Congress to H. J. Stannert, Harry Weis, and George W. Rockwell to construct, maintain, and operate a bridge across the Susquehanna River from a point in the city of Sunbury, Northumberland County, to a point in the township of Monroe, in Snyder County, in the State of Pennsylvania; and

S. 2296. An act authorizing insurance companies or associations, or fraternal or beneficial societies to file bills of interpleader.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 530. An act for the relief of the owners of the steamship *Basse Indre* and all owners of cargo laden aboard said vessel at the time of her collision with the steamship *Housatonic*;

S. 2907. An act to authorize the general accounting officers of the United States to allow credit to Galen L. Tait, collector and disbursing agent, District of Maryland, for payments of travel and subsistence expenses made on properly certified and approved vouchers;

S. 2124. An act for the relief of Philip Hertz (Philip Herz); and

S. 2848. An act to extend the time for institution of proceedings authorized under Private Law No. 81, Sixty-eighth Congress, being an act for the relief of Henry A. Kessel Co. (Inc.).

The message also announced that the House had passed the following bills of the Senate severally with an amendment, in which it requested the concurrence of the Senate:

S. 37. An act for the relief of First Lieut. Harry L. Rogers, jr.;

S. 978. An act for the relief of Horace G. Knowles; and

S. 2818. An act for the relief of Ivy L. Merrill.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3794) granting the consent of Congress to the counties of Lancaster and York, in the State of Pennsylvania, to jointly construct a bridge across the Susquehanna River between the borough of Wrightsville, in York County, Pa., and the borough of Columbia, in Lancaster County, Pa.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills:

H. R. 9305. An act to amend section 101 of the Judicial Code, as amended; and

H. R. 10200. An act for the acquisition of buildings and grounds in foreign countries for the use of the Government of the United States of America.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7093) granting the consent of Congress to O. Emmerson Smith, F. F. Priest, W. P. Jordan, H. W. West, C. M. Jordan, and G. Hubard Massey to construct, maintain, and operate a bridge across the southern branch of the Elizabeth River, at or near the cities of Norfolk and Portsmouth, in the county of Norfolk, in the State of Virginia; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DENISON, Mr. BURNETT, and Mr. PARKS were appointed managers on the part of the House at the conference.

The message also announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 816. An act for the relief of W. F. Morgareidge;

H. R. 912. An act for the relief of Capt. George G. Seibels, Supply Corps, United States Navy;

H. R. 1392. An act for the relief of Martin L. Duffy;

H. R. 1537. An act for the relief of Rebecca R. Sevier;

H. R. 1538. An act for the relief of John Milton Pew;

H. R. 1594. An act for the relief of F. Joseph Chatterton;

H. R. 1718. An act for the relief of Harold Holst;

H. R. 1983. An act for the relief of John J. Waters;

H. R. 2136. An act for the relief of Lieut. Frederick C. Matthews;

H. R. 2229. An act for the relief of John Ferrell;

H. R. 2237. An act for the relief of Leslie Warnick Brennan;

H. R. 2255. An act for the relief of Thomas Jefferson Shropshire;

H. R. 3378. An act for the relief of Randolph Foster Williamson, deceased;

H. R. 3446. An act for the relief of Ulric O. Thynne;

H. R. 3628. An act for the relief of Commander Chester G. Mayo;

H. R. 3664. An act to correct the military record of Daniel C. Darroch;

H. R. 3691. An act for the relief of the estate of James H. Graham;

H. R. 3952. An act authorizing the Secretary of the Navy to receive for instruction at the United States Naval Academy at Annapolis Mr. Gustavo Tegera Guevara, a citizen of Venezuela;

H. R. 4414. An act for the relief of Archie Eggleston, an Indian of the former Isabella Reservation, Mich.;

H. R. 4580. An act for the relief of the Moran Towing & Transportation Co.;

H. R. 4614. An act to correct the military record of George Adams;

H. R. 5085. An act to remove the charge of desertion from and correct the naval record of Louis Nemeck, otherwise known as Louis Nemeck;

H. R. 5275. An act for the relief of Theodore W. Goldin;

H. R. 5332. An act for the relief of T. Luther Pinder;

H. R. 5606. An act for the relief of Cyrus S. Andrews;

H. R. 5627. An act for the relief of George Turner;

H. R. 5786. An act for the relief of Rachel Thomas, widow of William Thomas, deceased;

H. R. 6015. An act to correct the Marine Corps record of Roy W. Saam;

H. R. 6143. An act to correct the military record of William J. Bodiford;

H. R. 6149. An act for the relief of Charles D. Baylis, first lieutenant, United States Marine Corps;

H. R. 6654. An act for the relief of William Smith;

H. R. 7024. An act for the relief of Walter Kent, jr.;

H. R. 7217. An act to authorize Capt. F. A. Traut, United States Navy, to accept a decoration from the King of Denmark known as the "Order of Dannebrog";

H. R. 7304. An act to compensate Robert F. Yeaman for the loss of certain carpenter tools which was incurred by reason of a fire in the Government area at Old Hickory Ordnance Depot;

H. R. 7395. An act for the relief of Emanuel Xuereb;

H. R. 7403. An act for the relief of John E. Luby, of New Bedford, Mass.;

H. R. 7429. An act for the relief of Joseph L. Rahm;

H. R. 7522. An act for the relief of William J. Nagel;

H. R. 7523. An act for the relief of John G. Hohl;

H. R. 7524. An act for the relief of Neil Mullane;

H. R. 7678. An act for the relief of the New York Canal & Great Lakes Corporation, owners of the steamer *Monroe* and barge 209;

H. R. 7874. An act to correct the military record of John Ralston;

H. R. 8486. An act for the relief of Gagnon & Co. (Inc.);

H. R. 8602. An act for the relief of Hewson L. Peeke;

H. R. 8937. An act permitting the sale of lot 9, 16.63 acres, in section 31, township 2 south, range 17 west, in Bay County, Fla., to P. C. Black;

H. R. 9019. An act for the relief of Ailing R. Maish;

H. R. 9135. An act for the relief of Natalie Summers;

H. R. 9237. An act to reopen, allow, and credit \$1,545 in the accounts of Maj. Harry L. Pettus, Quartermaster Corps (now deceased), for memorial tablet in the Army War College, as authorized by the act of March 4, 1923, and certify the same to Congress, and to reimburse the United States Fidelity & Guaranty Co. the amount paid by that surety company to the Government to settle said accounts;

H. R. 9319. An act to authorize certain officers of the United States Navy to accept from the Republic of Chile the order of merit, first class, and the order of merit, second class;



H. R. 9371. An act for the relief of Merritt W. Blair, of Abbott, Harding County, N. Mex., or his transferees;  
 H. R. 9988. An act for the relief of Frank A. Bartling;  
 H. R. 10109. An act for the relief of Virginia Strickland;  
 H. R. 10160. An act for the relief of John Rooks;  
 H. R. 10177. An act for the relief of Commander Albert Newton Park, jr.;

H. R. 10238. An act for the relief of Josiah Ogden Hoffman; and

H. J. Res. 9. Joint resolution granting permission to Walter Stanley Haas, lieutenant commander, United States Navy, to accept a decoration bestowed upon him by the Government of Ecuador.

#### PETITION AND MEMORIAL

Mr. JONES of Washington presented a petition of sundry citizens of Thurston County, Wash., praying for the passage of legislation granting increased pensions to veterans of the Civil War, their widows and dependents, which was referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of Seattle, Wash., remonstrating against any amendment of the national prohibition act, which was referred to the Committee on the Judiciary.

#### THE PHILIPPINES

Mr. KING. Mr. President, I am just in receipt of 13 additional resolutions, adopted by provincial boards and municipal councils of the Philippine Islands. On March 25 I submitted a total of 80; on April 9, an additional 16; and on April 17, 14 more, which, added to the 13 now presented, will make a total of 123 resolutions from Philippine provincial boards, municipal councils, and Filipino organizations.

The resolutions are in favor of measures which I have introduced and which are now pending before the Committee on Territories and Insular Possessions, providing for immediate independence of the Filipinos and for the withdrawal of American troops from the Philippine Islands.

I ask that the following resolutions be noted in the RECORD and referred to the Committee on Territories and Insular Possessions and added to those now on file with said committee.

The VICE PRESIDENT. Without objection, it is so ordered.

Under the order the resolutions of the following provincial and municipal boards and councils were referred to the Committee on Territories and Insular Possessions:

The Provincial Government of Pangasinan, Lingayen, P. I.  
 The Provincial Government of Romblon, Romblon, P. I.  
 The Municipal Council of Lapa-An, Province of Antique, P. I.  
 The Municipal Council of Buguey, Province of Cagayan, P. I.  
 The Municipal Council of Tuao, Province of Cagayan, P. I.  
 The Municipal Council of Lidlidda, Province of Ilocos Sur, P. I.  
 The Municipal Council of Misamis, Province of Misamis, P. I.  
 The Municipal Council of Sagay, Province of Misamis, P. I.  
 The Municipal Council of Malasiqui, Province of Pangasinan, P. I.  
 The Municipal Council of Urbiztondo, Province of Pangasinan, P. I.  
 The Municipal Council of Cajidiocan, Province of Romblon, P. I.  
 The Municipal Council of Lorente, Province of Samar, P. I.  
 The Municipal Council of Zumarraga, Province of Samar, P. I.

#### REPORTS OF COMMITTEES

Mr. WILLIS, from the Committee on Territories and Insular Possessions, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 4799) to approve act 235 of the Session Laws of 1923 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hana, on the island and county of Maui, Territory of Hawaii," reported it without amendment and submitted a report (No. 735) thereon; and

A bill (S. 3928) authorizing the designation of an ex officio commissioner for Alaska for each of the executive departments of the United States, and for other purposes (Rept. No. 742).

Mr. BINGHAM, from the Committee on Military Affairs, to which was referred the bill (H. R. 7036) for the relief of John R. Anderson, reported it without amendment and submitted a report (No. 736) thereon.

Mr. CAMERON, from the Committee on Military Affairs, to which was referred the bill (S. 2081) placing certain noncommissioned officers in the first grade, reported it without amendment and submitted a report (No. 737) thereon.

Mr. McMASTER, from the Committee on Military Affairs, to which was referred the bill (H. R. 534) to remove the charge of desertion from the record of Benjamin S. McHenry,

reported it without amendment and submitted a report (No. 738) thereon.

Mr. PINE, from the Committee on Military Affairs, to which was referred the bill (S. 2312) for the relief of Franklin Gum, reported it with an amendment and submitted a report (No. 739) thereon.

He also, from the same committee, to which was referred the bill (H. R. 949) for the relief of John H. Cowley, reported it without amendment and submitted a report (No. 740) thereon.

Mr. NORBECK, from the Committee on Pensions, to which was referred the bill (H. R. 8815) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 741) thereon.

#### FOX RIVER BRIDGE, ILLINOIS

Mr. BINGHAM. From the Committee on Commerce I report back favorably with an amendment the bill (H. R. 10244) to extend the time for the construction of a bridge across the Fox River, in the State of Illinois, on State Road No. 18, connecting the villages of Yorkville and Bristol, in said county, and I submit a report (No. 734) thereon.

Mr. McKINLEY. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was, on page 1, line 11, after the word "hereof," to strike out the colon and the following proviso: "Provided, That such bridge shall not be constructed or commenced until the plans and specifications thereof shall have been submitted to and approved by the Secretary of War and the Chief of Engineers as being also adequate from the standpoint of the volume and weight of the traffic which will pass over it," so as to make the bill read:

*Be it enacted, etc.,* That the times for commencing and completing the construction of a bridge authorized by act of Congress, approved February 16, 1924, to be built by the State of Illinois across the Fox River at a point suitable to the interests of navigation in the county of Kendall and State of Illinois, on the spur of State Road No. 18, connecting the villages of Yorkville and Bristol, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARRELD:

A bill (S. 4144) for the relief of George W. Roberts (with accompanying papers); to the Committee on Military Affairs.

By Mr. CUMMINS:

A bill (S. 4145) granting a pension to Martha Callentine (with accompanying papers);

A bill (S. 4146) granting an increase of pension to Mary J. Milligan (with accompanying papers); and

A bill (S. 4147) granting an increase of pension to Martha E. Edwards (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 4148) for the relief of Anna Laguerre; to the Committee on Claims.

By Mr. HEFLIN:

A bill (S. 4149) to relinquish the title of the United States to the land in the claim of Thomas Durnford, situate in the county of Baldwin, State of Alabama; to the Committee on Public Lands and Surveys.

By Mr. BRUCE:

A bill (S. 4150) for the relief of Maude J. Booth (with an accompanying paper); and

A bill (S. 4151) to reopen, allow, and credit \$1,545 in the accounts of Maj. Harry L. Pettus, Quartermaster Corps (now deceased), for memorial tablet in the Army War College, as authorized by the act of March 4, 1923, and certify the same to Congress, and to reimburse the United States Fidelity & Guaranty Co. the amount paid by that surety company to the

Government to settle said accounts (with an accompanying paper); to the Committee on Claims.

By Mr. CAMERON:

A bill (S. 4152) to authorize oil and gas mining leases upon unallotted lands within Executive order Indian reservations, and for other purposes; to the Committee on Indian Affairs.

#### ELIZABETH RIVER BRIDGE, VIRGINIA

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 7093) granting the consent of Congress to O. Emmerson Smith, F. F. Priest, W. P. Jordan, H. W. West, C. M. Jordan, and G. Hubard Massey to construct, maintain, and operate a bridge across the southern branch of the Elizabeth River, at or near the cities of Norfolk and Portsmouth, in the county of Norfolk, in the State of Virginia, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BINGHAM. I move that the Senate insist upon its amendment, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. JONES of Washington, Mr. COUZENS, Mr. BINGHAM, Mr. FLETCHER, and Mr. SHEPPARD conferees on the part of the Senate.

#### AGRICULTURAL DEPARTMENT APPROPRIATIONS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives on certain amendments of the Senate to House bill 8264, the Agricultural Department appropriation bill, as follows:

IN THE HOUSE OF REPRESENTATIVES,  
April 29, 1926.

Resolved, That the House recedes from its disagreement to the amendments of the Senate Nos. 54, 55, 56, and 57 to the bill (H. R. 8264) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1927, and for other purposes," and concurs therein.

That the House recedes from its disagreement to the amendment of the Senate No. 64, and concurs therein with an amendment as follows: In lieu of the sum proposed by said amendment insert the following: "\$127,924,573."

Mr. McNARY. I move that the Senate agree to the amendment of the House to the amendment of the Senate No. 64.

The motion was agreed to.

#### PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved the following acts:

On April 30, 1926:

S. 1481. An act to authorize the President to appoint Capt. Curtis L. Stafford a captain of Cavalry in the Regular Army;  
S. 1938. An act to issue patent to John H. Bolton;  
S. 850. An act for the relief of Robert A. Pickett; and  
S. 1486. An act to authorize the Secretary of War to lease to the Bush Terminal Railroad Co. and to the Long Island Railroad use of railway tracks at Army supply base, South Brooklyn, N. Y.

On May 1, 1926:

S. 493. An act for the relief of the owners of the steamship *British Isles*;  
S. 494. An act for the relief of all owners of cargo aboard the American steamship *Almirante* at the time of her collision with the U. S. S. *Hisko*;  
S. 1519. An act for the relief of the P. Dougherty Co.; and  
S. 2368. An act for the relief of Ocean Steamship Co. (Ltd.), a British corporation.

#### HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution of the House were severally read twice by title and referred as indicated below:

H. R. 4414. An act for the relief of Archie Eggleston, an Indian of the former Isabella Reservation, Mich.;

H. R. 8937. An act permitting the sale of lot 9, 16.63 acres, in section 31, township 2 south, range 17 west, in Bay County, Fla., to P. C. Black; and

H. R. 9371. An act for the relief of Merritt W. Blair, of Abbott, Harding County, N. Mex., or his transferees; to the Committee on Public Lands and Surveys.

H. R. 3952. An act authorizing the Secretary of the Navy to receive for instruction at the United States Naval Academy at Annapolis Mr. Gustavo Tegera Guevara, a citizen of Venezuela;

H. R. 5085. An act to remove the charge of desertion from and correct the naval record of Louis Nemec, otherwise known as Louis Nemeck;

H. R. 6015. An act to correct the Marine Corps record of Roy W. Saam;

H. R. 7217. An act to authorize Capt. F. A. Traut, United States Navy, to accept a decoration from the King of Denmark known as the "Order of Dannebrog";

H. R. 9319. An act to authorize certain officers of the United States Navy to accept from the Republic of Chile the order of merit, first class, and the order of merit, second class;

H. R. 10177. An act for the relief of Commander Albert Newton Park, jr.;

H. R. 10238. An act for the relief of Josiah Ogden Hoffman; and

H. J. Res. 9. Joint resolution granting permission to Walter Stanley Haas, lieutenant commander, United States Navy, to accept a decoration bestowed upon him by the Government of Ecuador; to the Committee on Naval Affairs.

H. R. 1392. An act for the relief of Martin L. Duffy;

H. R. 1537. An act for the relief of Rebecca R. Sevier;

H. R. 1718. An act for the relief of Harold Holst;

H. R. 1983. An act for the relief of John J. Waters;

H. R. 2255. An act for the relief of Thomas Jefferson Shropshire;

H. R. 3378. An act for the relief of Randolph Foster Williamson;

H. R. 3664. An act to correct the military record of Daniel C. Darroch;

H. R. 4614. An act to correct the military record of George Adams;

H. R. 5275. An act for the relief of Theodore W. Goldin;

H. R. 5606. An act for the relief of Cyrus S. Andrews;

H. R. 5786. An act for the relief of Rachel Thomas, widow of William Thomas, deceased;

H. R. 6143. An act to correct the military record of William J. Bodiford;

H. R. 6654. An act for the relief of William Smith;

H. R. 7429. An act for the relief of Joseph L. Rahm;

H. R. 7874. An act to correct the military record of John Ralston;

H. R. 9019. An act for the relief of Ailing R. Maish; and

H. R. 10109. An act for the relief of Virginia Strickland; to the Committee on Military Affairs.

H. R. 816. An act for the relief of W. F. Morgareidge;

H. R. 912. An act for the relief of Capt. George G. Seibels, Supply Corps, United States Navy;

H. R. 1538. An act for the relief of John Milton Pew;

H. R. 1594. An act for the relief of F. Joseph Chatterton;

H. R. 2136. An act for the relief of Lieut. Frederick C. Matthews;

H. R. 2229. An act for the relief of John Ferrell;

H. R. 2237. An act for the relief of Leslie Warnick Brennan;

H. R. 3446. An act for the relief of Ulric O. Thynne;

H. R. 3628. An act for the relief of Commander Chester G. Mayo;

H. R. 3691. An act for the relief of the estate of James H. Graham;

H. R. 4580. An act for the relief of the Moran Towing & Transportation Co.;

H. R. 5332. An act for the relief of T. Luther Pinder;

H. R. 5627. An act for the relief of George Turner;

H. R. 6149. An act for the relief of Charles D. Baylis, first lieutenant, United States Marine Corps;

H. R. 7024. An act for the relief of Walter Kent, jr.;

H. R. 7304. An act to compensate Robert F. Yeaman for the loss of certain carpenter tools which was incurred by reason of a fire in the Government area at Old Hickory Ordnance Depot;

H. R. 7395. An act for the relief of Emanuel Xuireb;

H. R. 7403. An act for the relief of John E. Luby, of New Bedford, Mass.;

H. R. 7522. An act for the relief of William J. Nagel;

H. R. 7523. An act for the relief of John G. Hohl;

H. R. 7524. An act for the relief of Neil Mullane;

H. R. 7678. An act for the relief of the New York Canal & Great Lakes Corporation, owners of the steamer *Monroe* and barge 209;

H. R. 8486. An act for the relief of Gagnon & Co. (Inc.);

H. R. 8602. An act for the relief of Hewson L. Peeke;

H. R. 9135. An act for the relief of Natalie Summers;

H. R. 9237. An act to reopen, allow, and credit \$1,545 in the accounts of Maj. Harry L. Pettus, Quartermaster Corps (now deceased), for memorial tablet in the Army War College, as authorized by the act of March 4, 1923, and certify the same to Congress and to reimburse the United States Fidelity & Guaranty Co. the amount paid by that surety company to the Government to settle said accounts;



H. R. 9938. An act for the relief of Frank A. Bartling; and H. R. 10160. An act for the relief of John Rooks; to the Committee on Claims.

#### PUBLIC BUILDINGS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6559) for the construction of certain public buildings, and for other purposes.

Mr. HARRISON. Mr. President, I want to discuss briefly the public buildings bill, but before I begin to discuss its various parts I wish to say that on yesterday I offered a motion to take up House bill 7893, which was reported from the Committee on Agriculture and Forestry, relating to the creation of a division of cooperative marketing in the Department of Agriculture and having, of course, to do with farm organizations.

Mr. President, I am one of those who believe that there ought to be farm legislation at this time, although we might differ as to the provisions which the bill should finally carry. Those who have been apparently very much interested in farm legislation expressed themselves yesterday to the effect that they were hopeful that my motion would not be pressed. The Senator from Idaho [Mr. GOODING] told of the splendid dinners that are taking place each day, at which Senators are getting plenty to eat and discussing the farm-legislation question. The Senator from Oregon [Mr. McNARY], who has been in charge of the proposed legislation, thought it was best not to bring it up at this particular time. No voice was lifted on the other side of the Chamber asking for the legislation to be pressed at this particular time.

We did gather some expressions from certain leaders on the other side of the aisle to the effect that it is on the legislative program that farm-relief legislation will be considered. Of course, if the English impeachment trial should take longer than some Senators expect and other questions that are before the Senate and coming before the Senate should take up the time of the Senate so that we will get in a legislative jam, and Senators with opposition back home desirous of returning to present their claims for reelection should press for a final adjournment and we should get no legislation dealing with the farm problem, then those Senators who are opposed to my motion to take up at this time the matter of farm legislation can explain it to their constituents. However, because of the expressions touching this matter, I am going to withdraw the motion for the present, with the consent of the Senate.

The VICE PRESIDENT. The Senator from Mississippi withdraws his motion, and, without objection, the order for the yeas and nays will be rescinded.

Mr. HARRISON. Mr. President, in regard to the pending public buildings bill, the Senator from Wisconsin [Mr. LEXROTH], who is taking a lively interest in that bill, as well as in other legislation which, in part, affects his constituency at this particular time, has stated that the pending bill provides the best and the only way to remove the congestion of Government business in many of the post offices of the country and that it would be a backward step to return to the old "pork-barrel" method of making appropriations for the erection of post offices. I called the attention of the Senate the other day to a speech which had been made by the Senator from Wisconsin when he was a Member of the House of Representatives in support of one of those old "pork barrel" bills. I believe in those "pork barrel" bills and the method in which they formerly passed Congress. I never become frightened because some people in the country, editorial writers or others, characterize a piece of legislation carrying appropriations for the erection of post offices as "pork-barrel" legislation or because they may characterize river and harbor measures as "pork-barrel" legislation. That never frightened me, and I am not frightened now because some one may say that to return to the old system would be a backward step. Mr. President, it was the system that was conceived by the fathers; it was the system that has been followed by the Congress of the United States from the beginning in making appropriations for the purchase of sites and the erection thereon of public buildings. The projects were always proceeded with under very good rules and regulations, and I do not know that any great harm came to the taxpayers of the country by virtue of that method.

I believe that Senators and Members of the House of Representatives have a duty to perform for their constituency; I believe in representative government; I am against bureaucracy in government. I believe that, as to my State, I know better than Mr. Cox, or Mr. Wetmore, or Mr. Mellon, the Secretary of the Treasury, may know what towns or cities need public buildings or river and harbor improvements. Evidently a majority of the Senate, and certainly a majority of the House of Representatives, believe that Mr. Mellon can perform that function better than they can. Mr. President, when this

Congress, day by day and little by little, surrenders its rights it destroys the representative character of government. I can not conceive of any bill that ties itself to bureaucracy and makes a more complete surrender of congressional and representative government than the pending public buildings bill.

I am not against a public buildings bill. Indeed, I believe that the amount of the appropriation that is proposed to be authorized by the pending measure is too small, for Mr. Wetmore, representing the Treasury Department, stated that, in order to meet the exigencies of the hour and to procure sufficient sites and to erect a sufficient number of buildings to take care of the needs of the Government at this time, it would require an appropriation of \$325,000,000. I would vote to-day for the authorization of an appropriation of \$325,000,000 to erect the necessary post-office buildings in this country. So my opposition to the pending measure is not based on the amount which it is sought to be authorized to be appropriated or because of any building program. My opposition to the bill is because it involves a surrender of the function that we are called upon to perform here as Senators for our States and for the American people.

Ten years ago no one would have conceived the idea that the Congress of the United States would delegate to one man in this Government the right to expend \$150,000,000 and to select sites for public buildings all over this country wherever he chose without fixing a limitation as to the amount that the site was to cost, and would delegate to him the right to erect public buildings wherever he chose in the country, without limitation as to the cost of those buildings, giving to one officer of the Government the right to go to any place in the United States and cause a site already acquired to be sold, giving to one official in an executive department the right to go to any city in the United States where there is now a public building and sell it and demolish it if he chooses without consultation with anybody. To me such a proposition seems preposterous.

So this bill proposes—and if I am wrong in the assertion, I want my friend, the Senator from Maine [Mr. FERNALD], to contradict me—to give to Mr. Mellon the power to expend \$100,000,000 and to select any site he chooses in the United States for a post office. He may pay for that site whatever he chooses, except that he can not spend over \$5,000,000 in any one State in any one year. The bill proposes to give to him, as I have stated, the right to erect public buildings at any place in the United States with this \$100,000,000 without any limitation as to the cost of a particular building. It provides that he may sell any public building in the United States if he desires to do so; that he may go into the District of Columbia and close any street that it may be necessary to utilize in the construction of a public building which he may choose to erect under the provisions of the bill. He does not have to consult the Commissioners of the District of Columbia even as to closing up alleys or closing up streets and abolishing them. There never was such power given to any executive officer in all the history of this Government.

Senators refer to the old method of providing for public buildings as being "pork-barrel" legislation. This is a "Mellon patch" bill, and from the way my good friend from Virginia [Mr. SWANSON] has been parading around and championing this particular measure and working as the right-hand lieutenant of my friend from Maine [Mr. FERNALD] he must have his eye on a very luscious and large melon in the patch. The only guards at this "Mellon patch," with all its wonderful melons, are Mr. Cox, of the Treasury Department, Mr. Mellon, and Mr. Wetmore. Of course my friend from Virginia, when he visits this patch to get his melon or his three or more melons, as the case may be, will not consult with Mr. Mellon; he must go to Mr. Cox. But when my friend from Indiana [Mr. WATSON], who is one of the pillars upon which rests the great Republican Party, and who has a great contest on this year in the State of Indiana, visits it he will not consult with Mr. Cox or Mr. Wetmore, but he will go to Mr. Mellon. I can picture my friend from Indiana during September and October when he goes to one of the cities in Indiana which has been trying to get a public building for 15 years or more and is asked, "What did you do about it?" He will say, "I went up to see Andy, and I talked to Andy about it. You know he has all the power to provide for the construction of these buildings. He can select the sites, and he can choose the places where they will be erected, and I will tell you what Andy told me. Andy said, 'Now, Jim, I know you have a hard fight on your hands, and I know the conditions, and you just tell those people I am going to take care of you. Do not let that get into the newspapers, but whisper it around in the ears of the chief politicians in the particular cities.'" I imagine that some of my other friends, notably the distinguished Senator from Ohio,



will consult with Andy, and when he reaches some town in his State—

Mr. WATSON. Mr. President—

Mr. HARRISON. I yield to my friend from Indiana.

Mr. WATSON. I dislike very much to interfere with the beautiful picture which my friend is drawing, but it may interest him to know that for the State of Indiana there is no appropriation whatever contained in this bill.

Mr. HARRISON. No; that is the trouble. The Senator is going to vote for it, although it does not provide for a single building in Indiana. My friend from Indiana has been trying to get a public building at Bicknell, Ind. What is he going to say to the people of Bicknell when he votes for this \$165,000,000 authorization and the news goes out to those people who have been striving for years to get a public building that their city is not provided for? What will be his response?

Mr. WATSON. Mr. President—

Mr. HARRISON. I will ask the Senator to wait a moment until I finish. The Senator has been making an effort to secure a public building for East Chicago. No building is provided for that place in this bill. Linton, in his State, wants a public building; Monticello, in his State, has asked for a public building; Sullivan, from which place comes my friend Mr. Will Hays, who is helping the Senator all he can in his primary fight in Indiana, wants a public building? What is the Senator going to say to the people of Sullivan about this bill? The people of Warsaw, Ind., have been making an effort to get a public building; the people of Whiting have been making a similar effort, and so have the people of Hammond. Hammond has grown and is growing very rapidly; they need a public building there. The pending bill does not take care of any of those places, and the Senator knows when he votes for this bill that it is impossible for Hammond to be taken care of if the recommendation of Mr. Wetmore before the House committee shall be followed. South Bend has made an effort to secure a public building, and so has Vincennes, where my friend Bill Cullop lived, and so has Plymouth. These are places in Indiana which have been striving to secure public buildings, and my friend from Indiana admits that in the authorization contained in the pending bill none of them is provided for. I can not understand how he is going to explain to those people that he delegated his right as a Senator here to demand of the Public Buildings Committee that they follow the old-established custom of bringing in a bill based on postal receipts and on population and treating every place alike, enumerating the cities and the places where public buildings should be erected, when he voted for a bill such as this, which does not provide for any such policy. Now I yield to my friend.

Mr. WATSON. Mr. President, in the first place, if an emergency exists anywhere in Indiana under the provisions of this bill and I can so persuade the Secretary of the Treasury, I might secure an appropriation. In the next place, if this bill shall not be passed, then none will be passed, and, if it were possible to pass one containing all the appropriations that all the Senators and Representatives should like to have made, it would take a billion dollars.

Mr. HARRISON. It would take \$325,000,000, according to the statement Mr. Wetmore made to the House committee.

Mr. WATSON. Oh, we could use that much in Indiana right now, I will say to my friend.

Mr. HARRISON. But Indiana, under the provisions of this bill, does not get anything.

Mr. WATSON. Fort Wayne should have a public building; but no public buildings will be provided for if this bill shall not be passed. I want to do the practical thing, I will say to my friend, and I think the passage of the pending bill is the practical thing, and that is why I support it.

Mr. HARRISON. Does the Senator know that a list has been compiled of the cities where this money is going to be expended; that it was presented to the House Public Buildings and Grounds Committee, and that to erect buildings in the 82 places therein enumerated it will cost \$119,000,000. Indiana is not provided for in that list; there are only about 20 States that are provided for in it and \$72,000,000 out of the \$100,000,000 will go into six States of the Union. So the Senator is voting for this measure with his eyes wide open.

The Senator had long experience in the House of Representatives and he has been here for a long time—

Mr. FERNALD. Mr. President—

Mr. HARRISON. I will ask the Senator to wait a moment, and then I will yield to him. The Senator from Indiana was a Member of the House when a number of public building bills were considered. I will ask him if the Committee on Public Buildings and Grounds did not look at these questions then in a practical way? Are there not some men in Congress who are

just as practical as Andy Mellon? Did not the committee in those instances stipulate the amount of postal receipts that any city or town must have in order to obtain a site or a public building? Did they not have a rule, and did they not follow it, that a city must have a population of a certain amount before it could get a public building? It would be easy to follow the same procedure here. It might take a little more of the time of the distinguished members of the Public Buildings and Grounds Committees in the Senate and the House to do that, but they could do it. No! The reason why they do not do it is because you want to surrender your power here as representatives of the American people and give it to the Secretary of the Treasury because maybe, forsooth, you think you can whisper into his ear and have him veto these buildings and get something for yourselves.

I will admit that the Secretary does not have to buy these sites; he does not have to build the buildings enumerated here, to which I have just called the attention of the Senate. He can veto all that. There is nothing binding on him; but that is what he presented to the committee through Mr. Wetmore, and that is the list we will get.

Mr. WILLIAMS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Missouri?

Mr. HARRISON. Yes; I yield to the Senator.

Mr. WILLIAMS. May I ask the Senator whether he has discussed the thing that the Senate and the House are losing? What is the legislative power that we lose? Why is not this purely an administrative matter?

Mr. HARRISON. When the Senator from Missouri has been here a little while longer—which I fear he will not be—he will find that his State is getting something.

Mr. WILLIAMS. I think that is not a fair answer.

Mr. HARRISON. Missouri does not get anything under this bill unless Mr. Mellon wants to go back upon what he has said to the committee, through Mr. Wetmore, and give to the Senator something to help him out in his political campaign in Missouri.

Mr. WILLIAMS. Suppose Missouri does not get anything out of this bill?

Mr. HARRISON. Then the Senator will be satisfied, will he?

Mr. WILLIAMS. I think this is an administrative matter, and not a legislative matter.

Mr. HARRISON. The Senator can tell his constituency, then, that he is satisfied if Missouri does not get anything.

Mr. WILLIAMS. I did not understand that it was a political matter, Mr. President.

Mr. MAYFIELD. Mr. President, will the Senator yield?

Mr. HARRISON. Yes; I yield to the Senator from Texas.

Mr. MAYFIELD. The Public Buildings Commission ascertained that the exact needs of the District of Columbia were \$50,000,000, and this bill authorizes that amount for the District. In other words, the bill takes care of the full and exact needs of the District. Mr. Wetmore, testifying before the House committee, estimated that it would take \$325,000,000 to take care of the exact needs of the 48 States. Upon what theory can any Senator support this bill, which authorizes an amount that will take care of the exact needs of the District and will take care of only about one-third of the needs of the various States?

Mr. HARRISON. Here is Iowa, for instance.

Mr. BRUCE. Mr. President—

Mr. HARRISON. I hope the Senator will let me proceed.

Mr. BRUCE. I certainly will.

Mr. HARRISON. I just want to follow this line of thought. Here is Iowa. Iowa is entitled to something under this public-buildings proposition. They have a great State out there. They have a great Senator from that State on the other side, and we have a great Senator from that State on this side; and they are entitled to get some of the melons out of this Mellon patch. If they follow the recommendations of Wetmore, Iowa will not get one cent. There is not a site provided for. There is not a building provided for. The \$119,000,000 will go somewhere else. But the Senator has been alert. He has been trying to get some public buildings for certain cities and towns in Iowa. He has made an exceptional effort to do it. Why, here is what he is trying to do:

At Albion they want a public building; at Clarion; at Dubuque they need one badly; at Eldora; at Hamburg; at Hampton; at Independence; at Marengo; at Mason City; at Newton; at Oelwein. Oelwein is entitled to one. Oelwein will be treated badly if it does not get one. Any place that is even named Oelwein is entitled to a public building. There is Osage; there is Osceola; there is Waverly; there is Winterset; there is



Marshalltown; and yet if this bill passes, none of those places can be taken care of unless Mr. Mellon countermands what Mr. Wetmore told the Public Buildings and Grounds Committee of the House of Representatives.

Mr. FERNALD. Mr. President, will the Senator yield a moment?

Mr. HARRISON. Yes; I yield to the Senator.

Mr. FERNALD. The Senator means to say that these places will not get any buildings unless an emergency exists there. If there is an emergency, they will get buildings.

Mr. HARRISON. I did not express myself very well.

Mr. BORAH. Mr. President—

Mr. HARRISON. I yield to the Senator from Idaho.

Mr. BORAH. I am not so much interested in the particular places; but who decides whether there is an emergency?

Mr. HARRISON. Mr. Mellon.

Mr. FERNALD. And the Postmaster General.

Mr. HARRISON. Why, when the Postmaster General consults with Mr. Mellon he has to consult with him under the rules and regulations of Andy Mellon. Those are the provisions of the bill; and he does not consult with the Postmaster General with reference to how much the building is to cost. He consults with him only with reference to the places and with reference to the plans of the particular buildings. The Postmaster General might say that a building was needed at Winterset that would cost \$250,000. Andy might say, "No, Harry; you can not get at that place more than \$25,000;" and then when the Postmaster General answered him back in that way he would have to do it under such rules and regulations as Mr. Mellon prescribed.

Mr. BORAH. Mr. President, may I ask the Senator what limitations, if any, there are in the bill on the discretion of the Secretary of the Treasury?

Mr. HARRISON. There is no limitation upon the Secretary of the Treasury except that he can not spend in any one year more than \$5,000,000 of this \$100,000,000 fund in any one State. That is about the only limit placed upon his discretion.

Mr. SMOOT. Mr. President, of course the Senator knows that if the Swanson amendment is agreed to that will make an entire change, because the Congress will have to appropriate the money; and the Senator knows very well that at that time we will know exactly what buildings are to be erected, and when, and at what cost.

Mr. HARRISON. We have heard much of the Swanson amendment in this discussion. What is the Swanson amendment? Let us finish that proposition right now. The Swanson amendment provides that no contract can be entered into by the Secretary of the Treasury, either for the purchase of a site or for the erection of a building, until the moneys are in hand in the Treasury; that is all. There is nothing in the Swanson amendment that will prevent the Secretary of the Treasury from promising my friend from Utah that he is going to build a building at a certain place in his State.

Mr. SWANSON. Mr. President, will the Senator permit me?

Mr. HARRISON. Let me finish, then I will yield, if the Senator will wait just a minute. That is the Swanson amendment. It is contended upon the part of my friend, the author of that amendment, and other Senators that because of the provision in this bill touching the Budget, the Secretary of the Treasury must give to the Budget and the Budget must transmit to Congress the details as to how this money is going to be expended.

I do not care if he furnishes the details to the Budget Bureau. I do not care if the Budget transmits them to the Appropriations Committee. There is nothing in the bill that says that the Secretary of the Treasury must spend the money in that way. There is nothing that says he must spend a cent in that way. There is no compelling clause there at all; and I contradict the proposition, I deny the assertion, that the provision touching the Budget will compel the Congress of the United States to make appropriations according to the amounts specified for this site and for that public building.

Mr. SMOOT. Mr. President—

Mr. HARRISON. One moment. What you should do is to make it clear, and I hope that an amendment of that kind will be agreed to.

Mr. SMOOT. Mr. President—

Mr. HARRISON. Wait a minute, and then I am going to tell the Senator something, if he will just allow me to do so. You know, that is hard to do. What the Swanson amendment should do is to go one step farther and remove any ambiguity in the wording of this proposed measure, and say that the Secretary of the Treasury shall not contract for the purchase of any site or the erection of any building, first, until the moneys

are in hand, and, secondly, until the Congress has been given a list of places where sites are to be located, with limits of cost for the sites, and a list of places where buildings are to be erected, with limits of cost on those buildings, and that the money so appropriated shall be used for that purpose. That will help your bill.

Mr. SMOOT. Mr. President, that would be the old plan.

Mr. HARRISON. The Senator does not want to go to the old plan because he thinks he will get more out of this plan.

Mr. SMOOT. No, Mr. President.

Mr. HARRISON. The Senator gets \$50,000,000 here for the District that he has been laboring to get for many years.

Mr. SMOOT. Does the Senator object to that?

Mr. HARRISON. No; I am for that provision, but I think there ought to be some restriction. I do not believe we ought to tell the Secretary of the Treasury to go ahead and build with this \$50,000,000 in the District of Columbia whatever buildings he chooses.

Mr. SMOOT. He can not do that.

Mr. HARRISON. Yes; he can. The bill does not state what buildings he has to erect in the District of Columbia. It does not put any limitation of cost on the buildings. Is there anything wrong in having the Committee on Appropriations specify and particularize the limit of cost of these sites and the limit of cost of these buildings, so that somebody must follow in the straight and narrow path?

Mr. SMOOT. If the Director of the Budget, with the consent of the President, sends to the Appropriations Committee, either of the House or of the Senate, an estimate for a certain building, and under that estimate the exact amount asked for is appropriated—and Congress would not appropriate any more—does the Senator think that same money, then, could be spent for the erection of some other building?

Mr. HARRISON. Why, of course it can be spent in that way unless you particularize the exact amount.

Mr. SMOOT. Does the Senator believe it would be spent for some other building?

Mr. HARRISON. Yes; I think it might be spent for some other building. I do not like to answer that question, but I think it might be spent for some other building.

Mr. SMOOT. Such a thing is unthinkable.

Mr. HARRISON. The Senator says it is unthinkable. Now, let us see what will happen. We pass this legislation authorizing \$25,000,000, say, to be appropriated for these buildings outside the District of Columbia, and outside of section 3. It is presented to the Appropriations Committee. Under the authority of law there, Mr. Mellon can spend that \$25,000,000 wherever he pleases. The Senator does not deny that. He can spend it all on sites if he wants to. He can spend it all on buildings if he wants to. The Senator does not deny that, does he? Now, the Senator says that because the Secretary can present to the Director of the Budget a list of places where he expects to spend this money, and he sends it up to Congress, the Secretary of the Treasury is bound to spend it in just that way.

Mr. SMOOT. I have not any doubt but that he will. I think he is morally bound to do so.

Mr. HARRISON. If that is the case, why does the Senator object, then, to an amendment such as I have suggested that will clarify the proposition and carry out that idea exactly?

Mr. SMOOT. Mr. President, I do not think the Members of the House or the Members of the Senate know exactly what the buildings will cost.

Mr. HARRISON. When will they know?

Mr. SMOOT. They will know after an examination has been made, a report has been made, and the Budget sends up the amount.

Mr. HARRISON. Wait a minute; let me get that. The Senator says that they do not know now, but that they will know when the Bureau of the Budget sends in its estimate and when the Appropriations Committee makes the appropriations. Then they will know. Then why can not the appropriations Committee, when they pass this public-buildings appropriation of \$25,000,000, specify and particularize where that \$25,000,000 is going to be expended, according to the Budget Bureau that sent it in?

Mr. SMOOT. The Senator does not think that can be done in this bill, does he?

Mr. HARRISON. We can amend it so that it will carry out that idea.

Mr. SMOOT. I do not think so, Mr. President. If we want to get any buildings under way, we could not do it.

Mr. HARRISON. That would not delay the proposition. The committee can bring in the appropriation before we finish the session. There are some Senators so anxious to get back



to their States in order to take care of their elections that they want to adjourn this session of Congress too quickly. I hope Congress will stay here until it gets through with the people's business.

Mr. SMOOT. I hope so, too.

Mr. HARRISON. If this bill shall become a law, the committee can report out an appropriation. Call it the "public-buildings appropriation." Particularize. There will be no delay. We will not have to wait until next year to get the post-office buildings.

Mr. SWANSON. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. SWANSON. The Senator has manifested a great deal of zeal against this bill and more zeal than knowledge as to its contents as proposed to be amended.

Mr. HARRISON. I ascribe to the Senator all knowledge on this proposition.

Mr. SWANSON. I hope I have more than the Senator has displayed in the discussion of it.

Mr. HARRISON. The Senator has the support—

Mr. SWANSON. The Senator has the support of Mr. BUSBY, from his State, who introduced a bill with six or seven little items in it and brought it to me to offer as a substitute for this bill, which I would not do.

Mr. HARRISON. I have not offered it.

Mr. SWANSON. No; but that is the source of the Senator's opposition and clamor against it. He brought that bill over here under which Mississippi would get about twice as much as any other State.

Mr. HARRISON. Mr. President, I decline to yield. I am opposed to this bill. The Senator was not in the Senate at the time I made the statement of fact upon which my opposition is based. I am opposed to it on the theory that it is a surrender of the rights of Congress. I know the fight made by the Congressman from my State, and by the Congressman from Texas, and by Mr. TAYLOR, a Republican Congressman from Tennessee. They fought for certain propositions. I think they were absolutely right in making that fight. I want to see a public buildings bill pass. I stated that a while ago, while the Senator was out. I will vote for a \$200,000,000 authorization if the Senator will restrict the appropriations and carry it out along the lines I have suggested.

Mr. SWANSON. Here is what the Senator wants to have done, and he can see that it is absolutely impossible, if we get down to what Congress can do. Under the amendment I have offered—and if it is not adopted I shall oppose the bill—no authority can be exercised by the Secretary of the Treasury until Congress authorizes him to do so by an act of Congress.

Mr. HARRISON. No contract can be made.

Mr. SWANSON. No contract can be made or any obligation entered into.

Mr. HARRISON. It does not say anything about any promises being made.

Mr. SWANSON. What is the result of that? He can not make a contract. All this bill would do, as amended, would be to authorize the expenditure of a hundred million dollars to be spent in the country for public buildings. It directs that estimates be made by the department and sent to the Appropriations Committee, as all appropriations must go through the Appropriations Committee. That committee can then pursue one of two courses. It can appropriate specifically for buildings by name, and sites by name, no more and no less. Or it can do as it does with river and harbor bills, appropriate \$25,000,000 or \$15,000,000 for items and estimates contained in document numbered so and so, which means that the money, \$25,000,000, is available to complete those plans. They can not go outside of those. Under a river and harbor bill Congress has never given authority to the engineers to go and spend the money before it is authorized and estimated for in estimates furnished to the Appropriations Committee. If this amendment shall be adopted, that is what would be done.

The Senator wants to go further and say that the Appropriations Committee itself can not make the authorization except for a specific plan. Even if that were to be put in this bill, we could not control the action of future Congresses. At any time the Appropriations Committee can recommend or Congress can appropriate a lump sum, and we can not prevent a future Congress from doing that. There is no way in which one Congress can bind another. All we can do is to provide that no contract shall be made for a site or for a building or for any modification of a building until the money is available in the Treasury for that purpose.

Mr. BORAH. Mr. President, what can the Secretary do prior to the time the appropriation is made?

Mr. SWANSON. He can not do a thing but make estimates and submit them for the consideration of Congress through the Appropriations Committee, as the Chief of Engineers does in connection with river and harbor improvements.

Mr. BORAH. He selects the sites on which he wants the buildings erected?

Mr. SWANSON. Where he makes his recommendation.

Mr. BORAH. Is that selection binding upon us?

Mr. SWANSON. Not at all; not even remotely. It is not binding in the slightest. It is simply a recommendation, showing the necessity for the building, and recommending that Congress appropriate the money. Section 4 simply directs him to make the estimates. My amendment provides that no obligation can be incurred under any contract whatsoever until the money is made available by Congress.

Mr. BORAH. Does this bill amount to nothing more than an authorization to the Secretary of the Treasury to make recommendations?

Mr. SWANSON. That is all it amounts to, and authorizes the Appropriations Committee to appropriate \$100,000,000; except this, that there are buildings which have been authorized, and we lack \$15,000,000 for their completion. I suppose \$41,000,000 has been authorized, but the buildings can not be completed. We increase that by \$15,000,000, which makes it a little over \$50,000,000 for buildings already authorized.

Mr. SMOOT. And appropriated for.

Mr. SWANSON. The appropriations have not been sufficient to complete them, and this would complete the work.

Mr. BORAH. Then, as a matter of fact, this bill, so far as providing for buildings is concerned, does nothing.

Mr. SWANSON. It does nothing except authorize the Committee on Appropriations to report to Congress under the authorization.

Mr. BORAH. It will do nothing until the next session of Congress—

Mr. SWANSON. No; if the Senator will permit me, this is the situation: The Appropriations Committee can not appropriate for buildings until there is an authorization. Under the Budget system the Appropriations Committee is limited in making appropriations to those cases where authorizations have been made. This bill authorizes the Appropriations Committee to report a bill back to Congress for specific buildings, if they want to, within the authorization, not exceeding the \$25,000,000 for buildings for which authorizations are made. All the Public Buildings Committee amounts to to-day is an authorization committee. This bill, with my amendment added, gives the Secretary of the Treasury no authority whatsoever except to make recommendations and estimates to the Bureau of the Budget.

Mr. BORAH. I think I understand the proposition. It is that, so far as this Congress is concerned, our legislation will consist of nothing more than authorizing the Secretary of the Treasury to make recommendations.

Mr. SWANSON. Except as to buildings already authorized and appropriated for. If the Appropriations Committee report a bill two weeks or three weeks from now, it will be in order for them to recommend an authorization.

Mr. KING. Of \$100,000,000.

Mr. SWANSON. They could; \$25,000,000 a year. The Appropriations Committee could meet later under this authorization and recommend an appropriation of \$25,000,000 for next year, commencing the 1st of July. The Committee on Appropriations can do nothing, under the Budget system, until an authorization has been made, and that is all this is.

Mr. BORAH. Is it contemplated that we will do anything at this session?

Mr. SWANSON. I do not know. The Senator can ask the Committee on Appropriations.

Mr. FERNALD. I think I can answer the question. If we are able to pass this bill in a reasonable time, the Committee on Appropriations might pass upon it, and we ought to do something at this session of Congress, right away, within two weeks.

Mr. BORAH. May I ask those who are in charge of the program on this side of the Chamber if it is contemplated that there will be anything further done until after the election?

Mr. SMOOT. There is one more appropriation bill to be passed—the general deficiency appropriation bill. If this bill becomes a law and the Budget Bureau recommends any amount up to \$25,000,000 for public buildings, it will be put in that bill. We have to put in the \$15,000,000 to take care of buildings now authorized, because there was an insufficient appropriation in the past. They will be appropriated for in the deficiency appropriation bill. The question as to further appropriations, beyond the \$15,000,000, will depend entirely on whether this



bill becomes a law, and whether an estimate comes through the regular channels for buildings up to the amount of \$25,000,000.

Mr. BORAH. Is it contemplated that that will be done?

Mr. SMOOT. I will say to the Senator that my understanding is that it will be done; but I have no promises to that effect.

Mr. OVERMAN. Did I understand the Senator to say that the Appropriations Committee would take care of some of these buildings at this session?

Mr. SMOOT. I say that I have no promises to that effect.

Mr. OVERMAN. Is that the policy?

Mr. SMOOT. We have to take care of the \$15,000,000, and if estimates come to Congress for any amount up to the \$25,000,000 provided for in this bill, then I think more than likely they will be provided for in the deficiency bill, too. But I know of no definite plan for that to be done, justifying me in saying to the Senator that it would be done.

Mr. OVERMAN. I understood the Senator to say to me the other day that if this bill does become a law the Appropriations Committee will not be bound by the Budget but can put in any buildings they think they want; that they are not bound by the Budget. Therefore, we will have a great scramble.

Mr. SMOOT. Oh, yes; they are bound.

Mr. GLASS. They are not bound by the Budget, nor is Congress bound by the Budget.

Mr. OVERMAN. I wanted to get that statement in the RECORD.

Mr. SMOOT. The Senator knows that, as members of the committee, we make appropriations—

Mr. OVERMAN. I know, and I want the Senator to say for the RECORD that we can take in any other buildings that we please, notwithstanding what Secretary Mellon may recommend or what the Budget may recommend.

Mr. SMOOT. Under the rules of the Senate, if there has been no estimate made for an item by the Budget, and no bill has been passed by Congress authorizing the expenditure for that purpose, then a point of order can be made against it.

Mr. OVERMAN. This being an authorization, no point of order could be made.

Mr. SMOOT. I rather think that is correct.

Mr. LENROOT. As a member of the Committee on Appropriations, I would like to give to the Senator from North Carolina my understanding of the situation, because it will come before us later.

Mr. OVERMAN. I want to hear the Senator. I want to have an understanding before that committee meets.

Mr. LENROOT. My view is—

The PRESIDING OFFICER (Mr. BLEASE in the chair). Does the Senator from Mississippi yield; and if so, to whom?

Mr. HARRISON. I yield to the Senator from Wisconsin.

Mr. LENROOT. If this bill passes in its present form, the Committee on Appropriations may accept or reject any Budget estimates that have been made, but if the committee reports a bill, no amendment can be offered upon the floor inserting an item which has not been estimated for. But there is this to be said, I think—and I want to be entirely candid: As the bill now stands, I think Congress is delegating to the Secretary of the Treasury and to the Postmaster General the selection of cities in which public buildings shall be erected. I do not believe it would be within the jurisdiction of the Committee on Appropriations, if those authorities had not designated a city, to put that city into a bill. But they can reject any city which has been selected or recommended.

Mr. GLASS. Mr. President, the Senator does not exactly mean that no amendment providing for a building may be offered upon the floor?

Mr. LENROOT. Not exceeding the estimate.

Mr. GLASS. The Senator means that any proposal of that sort would be subject to a point of order.

Mr. LENROOT. Yes.

Mr. GLASS. Unless the Senate pleases to adopt it.

Mr. LENROOT. Oh, yes.

Mr. HARRISON. Mr. President, I want to get clearly the position of the Senator from Virginia on one proposition. Suppose we pass this bill now and it becomes a law, and we stay here for two or three weeks longer; and suppose we desire to pass an appropriation bill to carry out this \$25,000,000 authorization. The Secretary of the Treasury makes his recommendation, and sends in the Budget recommendation also, and the matter goes to the Committee on Appropriations. I take it the Appropriations Committee—and I am propounding this question to the members of the committee—would recommend the appropriation of the sum of \$25,000,000, without particulariz-

ing, without specializing, the places or without any limit of cost.

Mr. SWANSON. If the Senator will permit me there, the Appropriations Committee could report for specific places and for specific sums and sites.

Mr. HARRISON. Does the Senator favor that plan?

Mr. SWANSON. I would rather have this handled as river and harbor improvements are handled, having an estimate made for certain sites and certain buildings. In the improvement of rivers and harbors we generally appropriate a lump sum to carry out the recommendations or estimates made in document so-and-so. Then, if one takes a little less than has been estimated for, what is left over is applied to the completion of the entire program outlined. I think that would be a better course to pursue with public buildings.

Mr. HARRISON. Why is there any objection to clarifying that particular proposition?

Mr. SWANSON. I have no objection.

Mr. HARRISON. The Senator is speaking against the suggestion I made.

Mr. SWANSON. I say there is nothing we can do, because every Congress can do what it pleases. This Congress can not bind a future Congress. It is left to them to determine what they will do. I do not see how we could pass a statute now that would bind a Congress six years hence.

Mr. HARRISON. Mr. President, I have not said anything about this Congress being able to bind some other Congress. We can write into the bill a provision that the appropriations when made shall particularize and specialize and limit the cost. That is not making the appropriation. That is writing in the law that the Appropriations Committee shall have no right to go beyond a certain limit.

Mr. SWANSON. The only difference between the Senator's contention and mine is that mine leaves it to the Appropriations Committee to do what they think wise. They can make it specific, or they can make a lump-sum appropriation.

Mr. HARRISON. We could control them if we wrote it into the law.

Mr. SWANSON. We can only control them so far as authorizations are concerned under the Budget system. Even if we say they shall not appropriate except specifically, I do not see how we could prevent a future Congress from appropriating a lump sum of \$25,000,000.

Mr. HARRISON. I can not follow the Senator in that reasoning.

Mr. SWANSON. I do not see how in an authorization we can control the Appropriations Committee as to how the amount shall be appropriated.

Mr. HARRISON. Suppose, then, the appropriation should come in as a \$25,000,000 lump sum. Is there anything which a month from now would prevent the Secretary of the Treasury from changing his opinion as to the expenditure of two or three million dollars of that sum and applying it to places other than those mentioned by the Budget?

Mr. SWANSON. If they made a lump-sum appropriation of \$25,000,000 to be expended by the Secretary of the Treasury for the construction of public buildings, he would have absolute authority to do it, but the Congress would have to give its approval. Congress would have to pass a bill of approval. The Appropriations Committee could say that he could have it in a specific sum.

Mr. HARRISON. We could appropriate more than \$25,000,000 then, because of the way the language of the bill reads now.

Mr. SWANSON. They could say how the \$25,000,000 should be expended.

Mr. HARRISON. Why not determine it in the legislation that is now before us?

Mr. SWANSON. If that could be done, I have no objection.

Mr. HARRISON. What is the objection of the Senator from Maine to that proposition?

Mr. FERNALD. I would have to see the proposition in writing so that I could study it. It has been expressed in several different ways. In the first place, everything to be passed on by the Comptroller of the Currency must be done in a certain way. We have had some trouble with other appropriations that have been made in the past. I assume this can be cared for in the way the Senator has expressed it. I am inclined to think there will be no trouble in getting together upon a proposition of that kind, but I would want to see it fully stated in writing so that I could examine it carefully.

Mr. SWANSON. I have an idea that the best way to handle an appropriation for sites, buildings, and modifications is in the way we handle the river and harbor items. I believe the



river and harbor legislation has given very general satisfaction. The estimates are submitted to the Committee on Commerce and they conclude what they want to expend, and Congress generally makes the appropriations to carry out that plan.

Mr. HARRISON. The appropriations that Congress make for river and harbor improvements are on an estimate of the board of Army engineers. If that board says that they must spend \$50,000,000 this year, the Congress gives them that sum. They have nowhere else to spend that \$50,000,000 except according to the estimate that has been made by the Board of Army Engineers and ratified by the Congress of the United States.

Mr. LENROOT. But maintenance is the largest item in the river and harbor bill.

Mr. HARRISON. It must be expended upon the projects that have been adopted in the usual form.

Mr. LENROOT. But they could do the same thing there that the Senator says could be done here.

Mr. HARRISON. They could not go out and spend any money on some project that had never been adopted.

Mr. SWANSON. The estimates can be sent here for public buildings and sites next year under the Budget system. The amount to be spent could be determined, just like it is determined in the estimate of the Board of Army Engineers. We will say that it takes \$25,000,000. The Appropriations Committee reports to Congress. Congress can provide that it shall be expended according to the estimates. I think that could be done in this case. I think they could add estimates to it. I differ with the Senator with reference to that matter.

Mr. LENROOT. They could add estimates, but the selections would have to be made by the department.

Mr. SWANSON. That is a law, I think, which has already been enacted. We appropriate an amount of money for the construction of a building. It takes \$66,000 to complete the building, but we have only appropriated \$65,000. The department can not make a contract for that building under those circumstances. Its construction is delayed until Congress increases the appropriation \$1,000. My idea is to follow the river and harbor plan.

Mr. LENROOT. Mr. President, will the Senator from Mississippi yield to me?

Mr. HARRISON. I yield.

Mr. LENROOT. I am frank to say that my objection to having specific appropriations which may be offered upon the floor of the Senate is that when the department has acted and when the Committee on Appropriations has acted and there is only so much money which can be expended, I would not like to give any Senator the opportunity to rise in his place and say, "If we can not get an appropriation for the village of Podunk, in my State, we can not have any bill."

Mr. HARRISON. The Senator, of course, is putting it strongly, but he said that a Senator could not offer an amendment on the floor of the Senate, after the Appropriations Committee had acted, which would exceed the estimate of the Bureau of the Budget.

Mr. LENROOT. The Senator knows that it is the fact.

Mr. HARRISON. I understand that. In other words, it would make no difference what the Appropriations Committee had done in turning down a proposition that was the best one for them, a Senator's right would be taken completely away from him because he could not offer an amendment on the floor at all.

Mr. LENROOT. No more than he could on any other appropriation bill.

Mr. HARRISON. But we can at least see that the bill specifies and particularizes where the money shall be spent.

Mr. LENROOT. Now, upon that point let me say just a word. The Senator is not a member of the Committee on Appropriations, although I think the Senator has worked on the agricultural appropriation bill, has he not?

Mr. HARRISON. Yes.

Mr. LENROOT. The Senator knows that there is not a heading in the agricultural appropriation bill that does not contain a lump-sum appropriation.

Mr. HARRISON. Oh, well, Mr. President—

Mr. LENROOT. Let me finish. The Senator knows that they make their estimates, and if the committee allows an item the money must be spent for that purpose. For instance, the Senator had a mosquito item, which he proposed on a bill; and if that had stayed in the bill and if we had increased the appropriation \$25,000 because of the Senator's representation, it would have been a matter of bad faith upon the part of the Department of Agriculture to use that \$25,000 for some other purpose.

Mr. HARRISON. I can understand that, but the Senator is wrong. When we appropriate \$25,000,000, we have given

full authority under which the Secretary of the Treasury can continue to perform. If he can not, what is the use of writing all these powers in the bill that are now in it?

Mr. LENROOT. He can not do it except as the estimates have been made and the money appropriated.

Mr. HARRISON. If that is the Senator's contention, what objection has he to making that proposition plain? Here is the wording of the bill on which he bases that assertion:

The Secretary of the Treasury shall submit annually and from time to time as may be required estimates to the Bureau of the Budget, in accordance with the provisions of the Budget and accounting act, 1921, showing in complete detail the various amounts—

Understand that, the various amounts—

It is proposed to spend under the authority of this act during the fiscal year for which said estimates are submitted.

He could come in and ask for \$25,000,000 and say that he wanted to spend \$5,000,000 for sites and that he wanted to spend \$20,000,000 for the erection of public buildings, and he might think that under the law that is all he must do. I want to make it clear. I know what the Senator's contention is, but I want to make it clear and sure that the Secretary of the Treasury must lay the details before Congress, that Congress must approve those details, both as to limit of cost and location of buildings.

Mr. SWANSON. Right at that point is where my amendment would come in, providing that no contract for site or modification or erection of a building shall be made until the money has been made available.

Mr. HARRISON. But after he gets his \$25,000,000 annually then he can do as he pleases.

Mr. LENROOT. Let me say to the Senator that I certainly would have no objection to an amendment he would suggest to the paragraph he is now reading—

Mr. HARRISON. I am not suggesting any radical proposition.

Mr. LENROOT. Let me finish—requiring the Secretary of the Treasury to make estimates as to the specific cases or specific buildings or specific sites.

Mr. HARRISON. And that the appropriations when made on those estimates shall be followed out. I can not understand why there should be any objection to a proposition like that.

Mr. SWANSON. That does not amount to anything for the simple reason that the Appropriations Committee and Congress would have to approve of it in the end. I do not see how one Congress can bind another Congress five years from now and tell it how to carry out any particular project.

Mr. HARRISON. I asked the legislative draftsman to put in proper language just what I wanted, and he prepared the amendment to which I have referred. It is not complicated, and Senators seem to understand my purpose and object. Why should there be any objection to a proposition like that?

Mr. ROBINSON of Arkansas. Is there objection to it? I accept the amendment. [Laughter.]

Mr. LENROOT. I would like to understand if it is the Senator's idea, if his amendment were adopted, that any Senator then might rise in his place and offer an amendment providing for another building somewhere that has not been considered by any committee?

Mr. HARRISON. The Senator misconstrues what I have said. I voted against the rule that the Senator and others on his side of the Chamber put on us here which took away from us certain rights with reference to offering amendments. I think that the rule ought to be rescinded. I voted against it then, and I am against it now. I am not contending for that. I am merely contending that when we make this lump-sum appropriation of \$25,000,000 we shall specify and particularize where the money is going to be spent and how much is going to each place. I am not contending for the right, when it comes here on the floor, to offer an amendment that is contrary to the rules, because the rules take care of that proposition.

Mr. LENROOT. I think, perhaps, we can get together on that proposition.

Mr. FERNALD. It is very similar to the Swanson amendment, and I have not any doubt we can get together on it.

Mr. HARRISON. The Swanson amendment goes very far and is a very splendid thing, because the Secretary of the Treasury should not control where the money should go, but it does seem to me the other proposition ought to be agreed to without any difficulty whatever. While I am very much opposed to this proposition as a whole, as I have said, I think that the expenditure of the appropriations and the selection of the places should not be left entirely to the discretion of the



Secretary of the Treasury. For instance, it has been improved in one respect by putting on the \$25,000,000 a limitation of \$5,000,000 annually going to any one State. That has been done. That is a very good thing itself. But it does seem to me that we ought to give something to the smaller States. According to the estimates furnished by Mr. Wetmore, we have 82 places which will cost around \$117,000,000, which is \$17,000,000 more than is being authorized. In other words, there are about 20 States being taken care of, and \$72,000,000 of the whole amount is being given to about 6 of those States. Why can we not agree on an amendment respecting these appropriations on a basis of population and area?

I appreciate the fact that when we base the equalization of these amounts on population alone we are doing an injustice to the smaller States out in the Southwest, but when we say that one-third of it shall be based on population of the State, one-third on the area of the State, and one-third on the amount of the wealth of the State as shown by the census of 1920, we arrange the proposition in a way that will equalize the appropriations among the various States.

Mr. SMOOT. Has the Senator any figures to show what the result of such a distribution would be?

Mr. HARRISON. No; I have not. I think it would be rather fair if distributed in that way though.

Mr. SMOOT. Of course we would not want to do a thing that would be unfair.

Mr. HARRISON. May I ask the Senator a question? I may say that in the House of Representatives this bill was brought up, as the Senator knows, under a suspension of the rules. There were 20 amendments to be offered, but under a suspension of the rules they could not offer an amendment, so none was presented. However, the big fight over there was relative to the question of population. Now, will not the Senators who are friendly to this proposed legislation take that under advisement and see if we can not work out something on the basis of a third and a third and a third, if that is right, or on the basis of half and a half?

Then, in reference to the other proposition, if the wording does not cure the difficulty, let the wording be properly arranged, and perhaps we can get together on this measure and hasten action on the bill.

Mr. FERNALD. I shall be very glad to take that under advisement. Of course, that matter has not been considered at all by the committee. We have considered the matter from the standpoint of population, but that, of course, would be an exceedingly unfair proposal.

Mr. HARRISON. I agree with the Senator that if it were put wholly on a basis of population it would be unfair to the smaller cities.

Mr. FERNALD. Of course, New York and Pennsylvania would get about one-third of the entire appropriation and Nevada would not get anything.

Mr. HARRISON. Under the system as proposed those States would get practically all, as the Senator knows.

Mr. SWANSON. The amendment proposed by the Senator from Mississippi ought to follow my amendment, because the amendment does not prevent contracts being entered into. I think the vicious part of the bill is the provision allowing the Secretary of the Treasury to contract to the extent of \$100,000,000 for the erection of public buildings before appropriations shall have been made. I have no objection to the Senator's amendment following the amendment which I have offered, which prevents contracts from being made until the money shall be available.

Mr. HARRISON. My amendment was intended to follow the amendment of the Senator from Virginia.

Mr. SMOOT. It would be impracticable to prevent contracts being made. The Secretary of the Treasury has to make contracts for the construction of buildings before he can know what amount of appropriation to ask for. I refer to final action. If we shall prevent that being done, I do not see how the work is going to proceed.

Mr. SWANSON. The department does not object to my amendment, as I understand.

Mr. SMOOT. I have no objection to the Senator's amendment.

Mr. SWANSON. My proposition is that after the money is available in the Treasury the Secretary of the Treasury may enter into obligations. I see no objection to that.

Mr. HARRELD. I desire to offer an amendment to the pending bill, and I ask that it may be read.

Mr. HARRISON. I still have the floor.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Oklahoma?

Mr. HARRELD. I thought the Senator from Mississippi had yielded the floor.

Mr. SMOOT. Mr. President, just a moment. I would have no objection to the Senator's amendment at all if what he suggests could be done in the regular ordinary practice. For instance, I do not think we are going to take out of this appropriation the first year the full amount of the contract price for a building, we will say, in New York, which might cost \$5,000,000 or so. I do not think that will be done; I do not think that would be the proper thing to do. In fact, should we do that we would have all the money tied up in a short time.

I think the appropriations ought to be made every year for the amount that is going to be expended and for no more. If we undertake to do anything more than that, we shall find ourselves shortly with all the money appropriated, but a contract must be made before it is known what appropriation is needed.

Mr. SWANSON. I understand the department does not object to my amendment.

Mr. SMOOT. I want to agree to anything at all that is in reason, and that will afford protection to the rights of the States in which buildings are to be erected; I think the Senator from Mississippi and I have the same thought as to that, but I would not want to have a provision added to the bill under which it will be impossible to go to work and enter into contracts unless the full amount shall be appropriated, because in that event we would find ourselves with the whole amount appropriated in a very short time.

Mr. HARRISON. Mr. President, did the Senator from Virginia contemplate merely the contracting for a particular amount? For instance, I will explain to the Senator, here in the District of Columbia some building may cost \$10,000,000 or \$15,000,000, and under this bill we could not appropriate that much for a single year.

Mr. SMOOT. It would be impossible.

Mr. HARRISON. That would not apply outside of the District of Columbia.

Mr. SMOOT. It would apply in some places, I am quite sure.

I wish to accomplish the same object the Senator is trying to attain, but I want the bill so worded that we will not find ourselves with our hands tied so that the work of construction can not proceed.

Mr. HARRISON. I suggest to the Senator from Maine that it looks as if all want to try to get together as nearly as possible on these various proposals, and probably we could do it off the floor of the Senate better than we can here on the floor of the Senate, and agree upon some amendment.

Mr. FERNALD. Let me make this suggestion—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Maine?

Mr. HARRISON. I yield.

Mr. FERNALD. There is a very important business transaction going on this afternoon at 2:30 o'clock and a great many Senators will necessarily be absent. Let me suggest that the Senator from Mississippi, the Senator from Virginia, and the Senator from Wisconsin get together with the committee and consider this question, and I am sure we can agree on a satisfactory amendment. We all want to accomplish the same object; we want to safeguard this bill in every possible way and still enable the work to be carried on. I am anxious that the construction of some of these buildings shall be commenced this summer, and I think that ought to be done. I expect next year to secure a much larger appropriation. Now let me suggest to the Senators that they meet on Monday, get together on these amendments, and that the Senate vote on the bill and on the amendments that may then be pending on Monday afternoon, say, at 5 o'clock. That would give ample time, and, I think, we ought to be able to do that.

Mr. HARRISON. I will say to the Senator that, so far as I am concerned, I am going to vote against this plan of making an authorization, but if the amendment suggested shall be added to the bill, I shall have nothing further to say in opposition to it. I shall not, however, vote for the bill, because I am against the policy.

Mr. FERNALD. That is all right; but the Senator has no objection to having it acted upon?

Mr. HARRISON. I have no objection to a vote upon the bill at a certain time if an amendment carrying out the suggestions which have been made shall be incorporated in it. The Senator will not have any trouble about passing this bill if such an amendment shall be incorporated in it.

Mr. SWANSON. I suggest that we take a recess now until 12 o'clock to-morrow. I am satisfied that we will finally reach an agreement as to this bill that will be entirely practicable.

Mr. BRUCE. Mr. President, I should like to know what the proposition is?

Mr. FERNALD. I suggested that there seems to be very little trouble about agreeing upon the amendment which has been suggested by the Senator from Mississippi. It will be necessary to make some changes in it before taking action. My suggestion was that the Senator from Mississippi, the Senator from Virginia, and the Senator from Wisconsin, and the Senator from Ohio meet with the committee on Monday; that we get together on these amendments, and that on Monday, at not later than 5 o'clock, a vote be taken upon the bill and all amendments thereto, or beginning, say, at 2 o'clock.

Mr. BRUCE. I do not know what the amendment is; it has not been printed, as I understand.

Mr. SWANSON. Mr. President, the only objection to that would be that it is predicated on the idea that we shall get together, but if we shall not get together there might be a suggestion that there was a misunderstanding or a breach of faith. To speak frankly and candidly—and whether we say so or not, the press knows it—we all want to go out to the ball game this afternoon. It is a game between the Republicans and Democrats of the House, and the money derived therefrom will go to a very commendable enterprise. So we all want to go, and I suggest that we take a recess now until 12 o'clock on Monday.

Mr. BORAH. We ought to consider the calendar on Monday.

Mr. CURTIS. Mr. President, let me remind the Senate that the impeachment court will sit on Monday to receive the plea of Judge English. So I suggest that when we conclude our business this afternoon we adjourn until 12 o'clock on Monday. We can then proceed with the impeachment trial for a few minutes—it will not take long—and after that shall have been done consider the calendar until 2 o'clock.

Mr. SWANSON. I am satisfied if we take an adjournment as indicated we will get this bill through. Most of the opposition on this side of the Chamber is inspired by an effort to put the bill in a shape which will be fair and just.

Mr. FERNALD. There seems to be a disposition on the part of many Senators that we shall go on this afternoon.

Mr. HARRELD. Mr. President, before the Senate adjourns or takes a recess—and I am not opposing such action—I should like to offer an amendment and have it read. I wish also to announce that I intend to speak on the amendment before the bill shall come to a vote.

The PRESIDING OFFICER. Without objection, on the request of the Senator from Oklahoma, the amendment proposed by him will be read.

The LEGISLATIVE CLERK. On page 3, line 8, after the word "building," it is proposed to insert the following:

*Provided further, That in determining where the funds herein provided for shall be expended the Secretary of the Treasury or other executive officer having the power hereunder to make such determination shall make a new and comprehensive survey of the needs of the Government in this behalf and consider each and every application or request therefor from any city, town, and community, and in making such determination he shall have due regard to the comparative necessities of the various cities, towns, and communities, and such determination shall be made without regard to any lists, information, or data already made up or assembled.*

Mr. FERNALD. The Senator, I understand, does not offer the amendment to be considered at this time?

Mr. HARRELD. No; I merely offer it in order that it may be pending, and I ask that it may be printed.

The PRESIDING OFFICER. The amendment intended to be proposed by the Senator from Oklahoma will be printed and lie on the table.

#### AMENDMENT OF THE RULES

Mr. JONES of Washington. Mr. President, out of order, I ask permission to give a notice of an amendment intended to be proposed by me to the rules of the Senate, and I ask that it may be read.

The PRESIDING OFFICER. The notice will be read:

The legislative clerk read the notice submitted by Mr. JONES of Washington, as follows:

I hereby give notice that on Monday, May 3, or as soon thereafter as possible, I will propose the following amendment to Rule XIX of the Senate Rules, relating to debate:

Add to said rule a paragraph to be numbered 7, as follows:

"7. Debate shall be confined to the subject matter under consideration, and all points of order relating thereto shall be decided by the Chair without debate. Upon an appeal from a decision of the Chair upon any such point of order no Senator shall speak more than once or longer than 10 minutes."

The PRESIDING OFFICER. The notice will lie over for consideration.

#### FORMS FOR BRIDGE BILLS

Mr. BINGHAM. Mr. President, I desire to call the attention of the Senate to the very able speech which was delivered in the House of Representatives yesterday by Mr. DENISON, chairman of the subcommittee on bridges of the House Committee on Interstate and Foreign Commerce. In that speech Mr. DENISON, who is a very able and distinguished lawyer, has set forth his researches with regard to the right of the Federal Government to control bridges over navigable streams and the policy as to the charging of tolls on such bridges. In connection with his speech he has printed in the RECORD nine forms for different types of bridges, as follows:

A form for an ordinary railroad bridge; a form for a privately owned free highway bridge of intrastate character; a form for a privately owned free highway bridge of interstate character; a form for a municipally owned toll bridge, intrastate; a form for a State-owned highway bridge, intrastate; a form for a privately owned toll bridge, intrastate; a form for a municipally owned toll bridge, interstate; a form for a privately owned toll bridge, interstate; and a form for a privately owned bridge, international.

It will be noted that these forms are the result of a prolonged series of conferences between the Senate committee and the House committee having jurisdiction over bridge bills. The forms will be of such advantage to those Senators who are interested in securing authorizations for bridges in their States that I recommend them to their consideration.

I also ask unanimous consent, Mr. President, that the nine forms as just listed by me may be printed as a public document in lieu of the Senate document ordered to be printed some time ago under the title of "New bridge policy of the Senate Committee on Commerce." I believe that the printing of these nine forms in a public document will be of great benefit to all Senators who desire to introduce bills which will meet with no opposition either in the Senate Committee on Commerce or in the Committee on Interstate and Foreign Commerce of the House.

The PRESIDING OFFICER. Is there objection?

Mr. CURTIS. Mr. President, I understand the Senator merely wants the forms printed for the use of the House and Senate and not for distribution?

Mr. SMOOT. If printed as a public document, there will be 1,487 copies.

Mr. CURTIS. I have no objection.

Mr. SMOOT. I should like to inquire if the Senator from Connecticut if the request for the printing of the other forms as a public document was granted and the document was printed? If they have not been printed, an order ought to be made now rescinding the previous order, because we do not want two public documents on the same subject, for there would be a conflict in making requests for the document.

Mr. BINGHAM. I will say to the Senator that, unfortunately, owing to a misunderstanding between two committees of conference and owing to the fact that the House was anxious to get certain bills passed and, therefore, made certain concessions, the Senate committee supposed that certain forms had been agreed upon, and thereupon, at the request of the Senator from Virginia and the Senator from Wisconsin, a Senate document was printed containing four forms. It developed later, as the Senator will remember, from a number of conferences requested on the bridge bills, the House committee was unwilling to agree to certain claims of the Senate committee, particularly claims with regard to the protection of the State rights, and it was after prolonged conferences that these forms were adopted. It will be noted in these forms that the privilege of a State with regard to a bridge entirely within its borders to make it a toll bridge or any other kind of a bridge is fully protected.

The privilege of a municipality or subdivision of a State to continue a bridge as a toll bridge indefinitely has been guarded against. Unfortunately, the Senate document, which I think the Senator now has in his hands, has been printed; and it is necessary to cancel that document and to issue a new document giving the nine forms presented to the House yesterday by Mr. DENISON.

Mr. SMOOT. Yes; I think that is the proper thing to do.

The PRESIDING OFFICER. Without objection, it will be so ordered.

#### THE PROHIBITION LAW

Mr. BRUCE. Mr. President, I desire to announce that the Senator from Michigan [Mr. FERRIS] proposes to address the Senate at the opening hour on Tuesday.



## ADJOURNMENT

Mr. CURTIS. I move that the Senate adjourn, the adjournment being until Monday at 12 o'clock.

The motion was agreed to; and (at 1 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, May 3, 1926, at 12 o'clock meridian.

## SENATE

Monday, May 3, 1926

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our heavenly Father, in Thy good providence Thou hast permitted us to meet once again to enter upon the duties appointed. We humbly beseech Thee for Thy guidance this day, so that in all the proceedings the spirit of happy cooperation may be in evidence and the high purposes of our Nation so managed that Thy glory shall be advanced and each one shall feel that duty has been well performed. We ask in Jesus' name. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday, April 29, 1926, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

## MUSCLE SHOALS

Mr. NORRIS. Mr. President, I want to prefer a unanimous-consent request. I ask unanimous consent that the minority report of the joint committee on Muscle Shoals be printed and that the evidence taken at the hearings of the joint committee be printed for the use of the Senate.

Mr. CURTIS. Mr. President, I understood that that question was to be submitted to-day by the chairman of the joint committee. I wish the Senator from Nebraska would withhold his request until the Senator from Illinois [Mr. DENEEN] is in the Chamber.

Mr. NORRIS. Very well; I will let it go until then. If the chairman of the committee is to submit the request, let that course be taken. It ought to have been done long ago. I withdraw the request for the present.

## CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fernald	Keyes	Sackett
Bayard	Ferris	King	Schall
Bingham	Fess	La Follette	Sheppard
Blease	Fletcher	Lenroot	Shipstead
Borah	Frazier	McKellar	Shortridge
Bratton	George	McKinley	Simmons
Broussard	Gillett	McLean	Smith
Bruce	Glass	McMaster	Smoot
Butler	Goff	McNary	Stanfield
Cameron	Gooding	Mayfield	Steck
Caraway	Greene	Means	Stephens
Copeland	Hale	Metcalf	Swanson
Couzens	Harrell	Moses	Trammell
Cummins	Harris	Neely	Tyson
Curtis	Harrison	Norbeck	Walsh
Dale	Heflin	Norris	Warren
Deneen	Howell	Nye	Watson
Dill	Johnson	Overman	Weller
Edge	Jones, N. Mex.	Phipps	Wheeler
Edwards	Jones, Wash.	Ransdell	Williams
Ernst	Kendrick	Reed, Pa.	Willis

Mr. CURTIS. I desire to announce that my colleague [Mr. CAPPER] is absent on account of illness in his family. I will let this announcement stand for the day.

The VICE PRESIDENT. Eighty-four Senators having answered to their names, a quorum is present.

## PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on May 1, 1926, the President had approved and signed the following acts:

S. 43. An act authorizing the President to issue an appropriate commission and honorable discharge to Joseph B. Maccabe;

S. 959. An act for the relief of Tena Pettersen;

S. 977. An act for the relief of A. V. Yearsley;

S. 1360. An act for the relief of the estate of William P. Nisbett, sr., deceased;

S. 1803. An act for the relief of Walter W. Price;

S. 2982. An act to provide for the conveyance of certain land owned by the District of Columbia near the corner of Thirteenth and Upshur Streets NW. and the acquisition of certain

land by the District of Columbia in exchange for said part to be conveyed, and for other purposes; and

S. 3538. An act authorizing the Secretary of the Interior to pay legal expenses incurred by the Sac and Fox Tribe of Indians of Oklahoma.

## DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a list of documents and files of papers in the Patent Office not needed or useful in the transaction of current business and having no permanent value or historic interest, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. BUTLER and Mr. SMITH members of the committee on the part of the Senate.

## PETITIONS AND MEMORIALS

Mr. FESS presented a resolution of the council of the city of Conneaut, Ohio, favoring the erection of a Federal building in that city, which was referred to the Committee on Public Buildings and Grounds.

Mr. REED of Pennsylvania presented a petition of sundry citizens of Beaver County, Pa., praying for such an amendment to the Constitution of the United States as "shall suitably acknowledge Almighty God as the source of all authority and power in civil government, the Lord Jesus Christ as the ruler of nations, and His revealed will as of supreme authority in national affairs," which was referred to the Committee on the Judiciary.

Mr. GOODING. Mr. President, I am in receipt of a telegram this morning from a farm organization in my State in which they favor the Haugen bill and oppose the Tinscher bill. I ask that the telegram may be referred to the Committee on Agriculture and Forestry and printed in the RECORD.

There being no objection, the telegram was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

MOSCOW, IDAHO, May 2, 1926.

Senator FRANK R. GOODING,

Washington, D. C.:

Farmers had meeting to-day. Large attendance. All favor Haugen bill for farm relief. Opposed to Tinscher bill. Individual letters to Haugen and Jardine are being mailed.

IDAHO EXPORT COMMERCE LEAGUE,  
GEORGE SIEVERS, Secretary.

• Mr. JOHNSON. I ask leave to have printed in the RECORD and referred to the Military Committee a telegram from the president of the University of California, relating to two bills which are now pending.

There being no objection, the telegram was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

BERKELEY, CALIF., April 28, 1926.

HON. HIRAM JOHNSON,

United States Senate, Washington, D. C.:

I have just learned about Frazier Senate bill 3746 and Welsh House bill 8538. These bills, if passed, would automatically abolish compulsory military training in University of California and many other land-grant colleges. Such a result would be regarded by the president and regents of the University of California and by the overwhelming majority of California citizens as exceedingly unfortunate. This university charges to its students of California residence only from one-fifth to one-twentieth of the cost of services rendered in their behalf by the university, and in partial return for the nearly free education service all able-bodied students in the university are required to take military training through two years, amounting to a total of about 120 hours of active service in all. The claim of pacifists and others that this military training makes students desire the coming of war is all bosh. Recently, when addressing our regiment containing 1,800 men, I definitely invited any member of regiment whose training had created within him a desire for war to hold up his hand; no hand was raised. Military training in our colleges is not only desirable as preparation for defense of country in case of need, but it prepares men to command successfully other men in the ordinary affairs of life, and there are other similar advantages.

WILLIAM WALLACE CAMPBELL, President.

## REPORTS OF COMMITTEES

Mr. PHIPPS, from the Committee on Education and Labor, to which was referred the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23,